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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,328	02/25/2000	Bruce W. Curtis	SUN1P701/P4732	7789

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BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER

PRIETO, BEATRIZ

ART UNIT	PAPER NUMBER
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2142

15

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/513,328

Applicant(s)

BRUCE W. CURTIS

Examiner

B. Prieto

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 8-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 & 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is in response to election requirement mailed 02/24/03, claims 1-24 remain pending, of which non-elected claims 8-23 are withdrawn from consideration and elected claims 1-7 and 24, are hereby presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et. al. (Hayes) U.S. Patent No. 6,073,212 in view of Hunt U.S. Patent No. 6,192,398.

Regarding claim 1, Hayes teaches features of the invention substantially as claimed, teaching a system/method related to the management a cache memory system (abstract), including

determining whether a cache copy or content (response data) associated with a request is in the cache (cache-hit: col 3/lines 25-30, cache content information, col 2/lines 29-33);

obtaining an advisory state associated with the request from the cache associated with the determined existing cached copy or cached content (state col 6/lines 8-16);

the (advisory) state when in a first state indicating that the response data can be accessed by consulting with other processor (s) (col 6/lines 8-16);

the advisory state when in the second state indicating that the response data can be accessed without consulting with other processor (col 6/lines 8-16); and

reading (retrieving) the response data in accordance with the advisory state associated with the request (col 6/lines 8-16);

however the above prior art does not teach where the request received is called "HTTP" request, where the cache is called "HTTP cache", nor the processors required to be consult according to an advisory state are particularly called "web servers";

Hunt teaches a system/method related to the management of a cache (124) in a cache memory system (col 3/lines 45-49) in a web server (116-118) (col 3/lines 30-44, 52-58, col 4/lines 46-48, Fig. 1), including:

- receiving a HTTP request (step 506, Fig. 5A, col 1/lines 32-42, col 6/lines 21-24);
- determining whether response data associated with the HTTP request is in the cache (step 508, Fig. 5A, col 6/lines 24-28);
- obtaining an advisory state associated with the HTTP request from the HTTP cache associated with the cached response (step 518 of Fig. 5A, col 6/lines 29-32, 54-61, step 510 of Fig. 5A);
- transmitting (loading) the response data in accordance with the advisory state associated with the HTTP request (Fig. 5B step 514).

It would have been obvious to one ordinary skilled in the art at the time the invention was made to utilize Hayes teachings in this taught by Hunt for utilizing advisory states which indicate the state of the cached copy, particularly an indication as to whether the response data can be accessed by consulting with other processor(s) or the response data can be accessed without consulting with other processor(s), enabling a web server hosting a cache memory system for providing response data to HTTP request to obtaining an advisory state indicating whether or not processors managing the cache memory system within the web server need to be consulted for (reading/writing) in the cached data associated with the HTTP request, motivation would be to provide state and tag information to quickly service request to cached data, minimizing read and write latency to the caches, as taught by Hayes.

Regarding claim 2, when the response is cached, sending an advisory request to a processor or program (HTTP daemon), indicating an action to be taken with the response data, and receiving the advise state from the processor or program (HTTP daemon) (Hayes: col 6/lines 8-16, Hunt: col 6/lines 37-42).

Regarding claim 3, transmitting the response data without modifying the response data in the HTTP cache when the advise state is in a first state (Hayes: retrieving or read response data: col 6/lines 8-16) transmitting (loading) the response data in accordance with the advisory state associated with the HTTP request (Hunt: Fig. 5B step 514, col 6/lines 58-61).

Regarding claim 4, update (modifying) the response data stored in the HTTP cache as specified by the advise state (Hunt: Fig. 5B, step 514, col 6/lines 37-42).

Regarding claim 5, removing one response data and the advisory state from the HTTP cache when the advise state is in a second state (Hunt: col 6/lines 54-col 7/line 2, flush).

Regarding claim 6, receiving response data from the HTTP daemon; and performing replacing the received from the HTTP daemon in the HTTP cache and replacing the advisory state in the HTTP cache with a another state (Hunt: Fig. 5B, step 516).

Regarding claim 7, transmitting the second response data when the advise state is in a fourth state without transmitting the response data in the HTTP cache and without storing the second response data in the HTTP cache (Hunt: col 7/lines 3-10).

Regarding claim 24, this claim comprises the computer-readable medium storing computer-readable instructions thereon, for performing the method discussed on claim 1, same rationale of rejection is applicable.

Related U.S. Patents:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; pertinence is presented in accordance with to MPEP§ 707.05. Copies of documents cited will be provided as set forth in MPEP§ 707.05(a):

U.S. 6,292,835 (09-2001):

Huang et. al. teaches receiving a HTTP request; determining whether response data associated with the HTTP request is in the cache; when it is determined that response data associated with the HTTP request is in the cache; obtaining an advisory state associated with the HTTP request from the cache; the advisory state when in a first state indicating that the response data can be transmitted and cached; the advisory state when in the second state indicating that the response data can be transmitted without caching it; and transmitting the response data in accordance with the advisory state associated with the HTTP request (Fig. 5, steps 501-512).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Mark R. Powell can be reached on (703) 305-9703. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6606. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or Faxed to:

(703) 746-7239, for Official communications and entry

Or:


(703) 746-7240, for Non-Official or draft communications, please label
"PROPOSED" or "DRAFT".

Or Telephone:

(703) 306-5631 for TC 2100 Customer Service Office.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist), further ensuring that a receipt is provided stamped "TC 2100".


B. Prieto
TC 2100
Patent Examiner


MARK R. POWELL
SUPERVISORY PATENT EXAMINER
GROUP 2400